

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

GORDON FLATT,

Plaintiff,

v.

JOHN DOE,

Defendant.

Case No. 1:19-cv-00113-PAE

Judge Paul A. Engelmayer

**NOTICE OF MOTION AND MOTION FOR LEAVE
TO SERVE A THIRD-PARTY SUBPOENA
PRIOR TO A RULE 26(f) CONFERENCE**

Plaintiff Gordon Flatt respectfully moves for an order pursuant to Federal Rule of Civil Procedure 26(d)(1) granting Plaintiff leave to serve a third-party subpoena prior to a Federal Rule of Civil Procedure 26(f) conference. In support of his motion, Plaintiff submits (1) a Memorandum of Law in Support of Plaintiff's Motion for Leave to Serve a Third-Party Subpoena Prior to a Rule 26(f) Conference, and (2) the proposed rider to the subpoena Plaintiff seeks to issue, attached as Exhibit 1 to Plaintiff's Memorandum of Law.

Dated: January 7, 2019

Respectfully submitted,

/s/ Justin V. Shur

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th day of January, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties with an e-mail address of record who have appeared and consent to electronic service in this action.

Dated: January 7, 2019

/s/ Justin V. Shur

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